



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
NOV 07 2003
TECH CENTER 1600/2900

In re patent application of

Reinhold HOLTKAMP, Sr.

Serial No. 10/046,968

Filed: January 17, 2002

For: MULTIFLORESCENCE TRAIT IN AFRICAN VIOLETS

Group Art Unit: 1661

Examiner: W. Haas

DECLARATION UNDER 35 U.S.C. § 1.132

I, Richard Peet, the attorney of record in the present application, declare that at least 2500 seeds from the cross of African Violet 'SB 4-2 Muflo' with African Violet 'P6/6' were deposited on January 16, 2002 at the American Type Culture Collection (ATCC) (10801 University Blvd., Manassas, VA, a Budapest Treaty recognized depository which affords permanence of the deposit, and accorded ATCC Accession No. PTA-3982. A copy of the deposit receipt is enclosed for convenience.

I confirm that the deposited seeds are specifically identified in this application as filed. I further confirm that during the pendency of the patent application access to the deposited seeds will be allowed to those persons properly designated by the Commissioner of Patents and Trademarks; that the deposited seeds will be replaced should it die or be destroyed during the enforceable life of any patent issued out of this patent application, for five years after the last request for a sample of the deposited seeds or for thirty years, whichever is longer; that upon issuance of a patent, applicant will irrevocably remove all restrictions to access to the seeds for the duration of the deposit; and that maintenance charges for the duration of the deposit will be paid.

November 3, 2003
Date

Richard C. Peet
Richard C. Peet
Attorney for Applicant
Registration No. 35,792

ATCC

NOV 03 2003

10801 University Blvd., Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

**RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2**

To: (Name and Address of Depositor or Attorney)

Reinhold Holtkamp
6011 Martingale Lane
Brentwood, Tennessee 37027

Deposited on Behalf of: International Plant Breeding AG. Koenizstrasse 230 CH-3097 Liebefeld SWITZERLAND

Identification Reference by Depositor: **Patent Deposit Designation**

Saintpaulia Ionantha-“African Violet”: SB4-2/P6-6 muflo PTA-3982

The seeds were accompanied by: _ a scientific description a proposed taxonomic description indicated above. The seeds were received January 16, 2002 by this International Depository Authority and have been accepted.

AT YOUR REQUEST: X We will inform you of requests for the seeds for 30 years.

The seeds will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the seeds and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said seeds.

If the seeds should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with viable seeds of the same.

The seeds will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the seeds cited above was tested January 20, 2003. On that date, the seeds were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris
Marie Harris, Patent Specialist, ATCC Patent Depository

Date: February 11, 2003

cc: Richard C. Peet

RECEIVED
NOV 01 2003
TECH CENTER 1600/2000